

Notice of Allowability

Application No.

10/620,941

Examiner

Laura C Cole

Applicant(s)

HOLST, DEAN H.

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 14 July 2003.
2. ☒ The allowed claim(s) is/are 19-26.
3. ☒ The drawings filed on 14 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

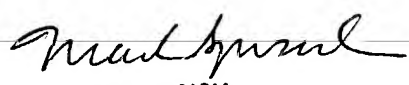
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 07142003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


MARK SPISICH
PRIMARY EXAMINER
GROUP 3400
1700

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Voorhees on 05 May 2004.

The application has been amended as follows:

In the specification:

Page 1 on line 4 after "This application is " please insert - - a Divisional of a prior application, serial number 09/723,062, filed on 27 November 2000, now abandoned, and is - -

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

USPN 4,485,516 to Crook includes a method for cleaning a mower deck having an upper surface, a lower surface, and an outer perimeter, the mower having at least one mower blade mounted below the surface of the mounting deck, the mower blade having a radius (see Figure 1), the method comprising taking a lawnmower tool (Figures 2-4), positioning the sharpened edge of the scraping blade beneath and in contact with the lower surface of the mower deck with the first end of the handle being located beneath the lower surface of the mower deck (see Figure 1), scraping debris from the lower surface of the mower deck, and maintaining and gripping a portion of the handle

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outside the perimeter of the deck during the scraping step (see Figure 1; Column 2 Lines 35-52). Crook does not include that the handle of the scraper has a greater length than the radius of the mower blade, and the method does not include that the second end of the handle extends outside the perimeter of the mower deck in the positioning of the sharpened edge of the scraping blade.

USPN 5,020,181 to Leonard includes the teaching of providing a device for cleaning a lower surface of a mower deck using a tool that has an elongated handle, shaft, and scraping blade that faces away from the handle and shaft, the sharpened edge being perpendicular to a longitudinal axis of the handle (see Figures 3 and 4). Leonard also teaches that the "handle" (12) "provides a clearance to effect a scraping and cleaning operation to an interior portion of a lawn power." (See Column 4 Lines 13-22.) Leonard does not provide method steps such as positioning the sharpened edge of the scraping blade so that the second end of the handle is extending outside the perimeter of the mower deck.

USPN 3,070,823 and USPN 5,477,583 are examples of lawnmower cleaning tools having scrapers and also use a pressurized water supply in order to clean the mower deck. Both of these teach substantially the structure of the lawnmower tool that is claimed, however neither of these teach nor suggest the method that is claimed.

None of the prior art made of record teaches or suggests taking a lawnmower tool that has a handle the length greater than a radius of a mower blade, positioning it so that the second end of the handle extends outside the perimeter of the mower deck, scraping the debris from the lower surface of the mower deck, and maintaining and

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gripping a portion of the handle outside the perimeter of the mowing deck during the entire scraping step.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C Cole whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J Warden can be reached on (571) 272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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